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## *Fax Cover Sheet*

**DATE:** June 7, 2004

**FROM:** Flora W. Feng

**CLIENT:** Nitrox

*Direct Dial 212 692 6785  
FWFeng@mintz.com*

Attorney No.

2496

Client No.

28195

Matter No.

503 CON

**To:**

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**MESSAGE:**

**We are sending a total of 6 pages, including this cover sheet.**

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VIA TELEFAX: (703) 746-9195

Date of Transmission: June 7, 2004

Attorney Docket No. 28195-503 CON

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS :	Benjamin Gaston, <i>et al.</i>		
SERIAL NUMBER :	10/772,374	EXAMINER :	Not Yet Assigned
FILING DATE :	February 6, 2004	ART UNIT :	1654
FOR :	THERAPEUTIC USE OF AEROSOLIZED NITROSYLATING AGENT IN CYSTIC FIBROSIS		

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Office of Initial Patent Examination's  
Filing Receipt Corrections  
Facsimile Number: (703) 746-9195

## TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

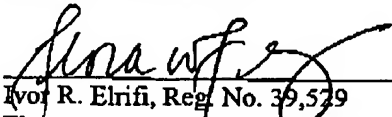
1. Request for Corrected Filing Receipt (2 pages); and
2. Copy of corrected Filing Receipt with changes noted thereon (2 pages).

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000, New York, New York.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 28195-503 CON, Customer No.: 35437. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Dated: June 7, 2004

  
Ivo R. Elrifi, Reg. No. 39,529  
Flora W. Feng, Reg. No. 51,673  
Attorney/Agent for Applicants  
c/o MINTZ, LEVIN  
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Telefax: (212) 983-3115

VIA TELEFAX: (703) 746-9195

Date of Transmission: June 7, 2004

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Office of Initial Patent Examination's  
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Facsimile Number: (703) 746-9195

## REQUEST FOR CORRECTED FILING RECEIPT

Applicants request a Corrected Filing Receipt for the above-mentioned patent application. Applicants enclose a copy of the Filing Receipt with the corrections noted thereon. Issuance of a corrected filing receipt is respectfully requested.

There is an error with respect to the following data, which was:

☒ incorrectly entered

*and/or*

☐ omitted.

**Error in****Correct data**

- |  |  |
|--|--|
| 1. <input type="checkbox"/>            | Applicants' name<br>(first, last name) |
| 2. <input type="checkbox"/>            | Applicants' address                    |
| 3. <input type="checkbox"/>            | Title                                  |
| 4. <input checked="" type="checkbox"/> | Filing Date                            |
| 5. <input checked="" type="checkbox"/> | Serial Number                          |
| 6. <input checked="" type="checkbox"/> | Foreign/PCT Application Re:            |
| 7. <input checked="" type="checkbox"/> | Continuing Data                        |
| 8. <input type="checkbox"/>            | Other                                  |

**March 24, 2003****10/380,763****NONE**

This application is a CON of 10/380,763 03/24/03  
which is a CON of PCT/US01/27768 10/15/2001  
which claims benefit of 60/240,708 10/16/2000

Applicants: Benjamin Gaston, *et al.*  
U.S.S.N. 10/772,374

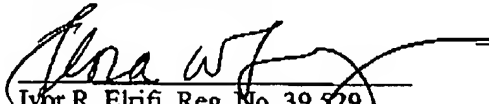
Applicants believe that no fee is due. However, the Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Reference Number 28195-503 CON.

Other documents:

☒ Copy of Filing Receipt with changes noted thereon.

Respectfully submitted,

Dated: June 7, 2004

  
Ivor R. Elrifi, Reg. No. 39,529  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/772,374	02/06/2004	1654	385	GAST002C 28195-503 con	5	2	2

23364  
BACON & THOMAS, PLLC  
625 SLATERS LANE  
FOURTH FLOOR  
ALEXANDRIA, VA 22314

Mintz Levin - NYC

JUN 09 2004

CONFIRMATION NO. 6783

FILING RECEIPT

10/772,374 02/06/2004 1654 385 GAST002C 28195-503 con  
\*OC000000012561049\*

RECEIVED

Date Mailed: 05/07/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Benjamin Gaston, Charlottesville, VA;  
Jonathan S. Stamler, Chapel Hill, NC;

Domestic Priority data as claimed by applicant 10/380,713 03/24/03

This application is a CON of 10/380,713 03/24/03 \*  
which is a CON of PCT/US01/27768 10/15/2001  
which claims benefit of 60/240,708 10/16/2000

(\*)Data provided by applicant is not consistent with PTO records.

## Foreign Applications

~~JAPAN 2002-078440-03/20/2002~~

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

<input type="checkbox"/> File Folder	<input type="checkbox"/> Data Entry	<input type="checkbox"/> Docket Cross	<input type="checkbox"/> Previously Entered	<input type="checkbox"/> No Doc. Fee Paid	<input type="checkbox"/> Order Entered	<input type="checkbox"/> Amended
Done By _____						

Therapeutic use of aerosolized nitrosylating agent in cystic fibrosis

Preliminary Class

514

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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